

MINUTES
TIGARD CITY COUNCIL BUSINESS MEETING
July 10, 2001

Mayor Griffith called the meeting to order at 6:32 p.m.

Council Present: Mayor Griffith, Councilors Dirksen, Moore, Patton, and Scheckla.

- STUDY SESSION

- Review Health Insurance Coverage Options

Senior Human Resources Analyst Sherrie Burbank advised that health benefits for the City Council are included in the employee pool; therefore, it is no longer necessary for four out of the five Council members to participate in insurance benefits in order for other Council members to participate. Ms. Burbank noted that coverage would be changing per the new insurance plans offered by the City. She advised that Council members would need to fill out new enrollment forms.

- Review Council Groundrules

Council discussed the current Groundrules set forth by Resolution No. 00-52. After discussion, it was determined that wording would be changed under the "Study Session" topic on Page 3 of Exhibit A to 00-52. The changes occur in the last two sentences. New wording shall be:

"the decision on whether to continue the 'discussion' or not shall be determined by the majority consensus of the Council members present. If Council discusses an agenda topic in a study session prior to that Council meeting, either the presiding officer or City Manager will briefly state at the introduction of the agenda topic, the fact that Council discussed the topic in the study session and mention the key points of the discussion."

It was noted that Council has not been consistent with application of the provisions of this section and more emphasis will be given to do so.

There was discussion on Council statements and questions during review of agenda items. Councilor Moore clarified his concerns with Council discussion on agenda item topics in that he would like to see Council not stray in discussion and questions from the matter that is before them, because this widens the scope of what is being discussed. There was discussion on Mayor Griffith's role with regard to keeping discussions on point. The Mayor noted that he could "park questions" that may not appear to be directly associated with the matter being discussed.

Council also discussed the need to call for a point of order around 9:30 p.m. if it appears that the remaining agenda items will go beyond 10 p.m. The Council may decide to continue the meeting or select items to be rescheduled to a later meeting.

Mayor Griffith noted that the Council meetings are informal and he attempts to move items through quickly. Councilor Moore noted that the Council has been good at adapting to situations where sometimes a more formal demeanor is required. Councilor Patton complimented the Mayor on allowing each of the Councilors to give input on all topics.

➤ Administrative Items

▪ Update on the I-5/217 Ribbon Cutting

The I-5/217 Interchange Ribbon Cutting ceremony was held today and was well attended. There was some discussion on funds that may be available for transportation (approximately \$400 million). Needs are noted in the Washington Square area and Highway 99. Approximately half of the \$400,000,000 is slated to go to bridge repair, with the other half earmarked for preservation and modernization of roads. No guidelines have been established with regard to expenditure of these funds. The state has advised that they will be starting over with prioritization of projects. Approximately \$20 million will be appropriated for the Portland area and \$80 million will be allotted to Metro jurisdictions. There was some discussion about some state highways that could be improved and brought up to a better standard (Highway 99W, Hall Boulevard) and then have the City take over these roads from that point on.

Mayor Griffith said that these funds are scheduled to be appropriated by February 1, 2002.

It was noted that the legislature funded commuter rail.

- Mayor Griffith distributed new business cards and advised Council of his new office located on Greenburg Road in Tigard.

City Recorder Note: Two letters were distributed to the Council representing written testimony on the formation of EID (agenda item #9).

- EXECUTIVE SESSION: The Tigard City Council went into Executive Session at 7:10 p.m. to discuss labor relations under ORS 192.660(1d).

Executive Session adjourned 7:30 p.m.

1. BUSINESS MEETING

- 1.1 The meeting of the Tigard City Council & Local Contract Review Board was called to order by Mayor Griffith at 7:35 p.m.
- 1.2 Council Present: Mayor Griffith, Councilors Dirksen, Moore, Patton, and Scheckla
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports – None.
- 1.5 Call to Council and Staff for Non-Agenda Items – None.

The City was awarded a \$250,000 grant for improvements to Cook Park. Community Development Director Jim Hendryx reviewed a map of Cook Park and described some of the proposals with regard to the first phase of the Cook Park Master Plan, which included parking lot improvements, underground utilities, emergency access road and the butterfly meadow. In order to receive the grant monies, the City will need to authorize the Mayor to sign the intergovernmental agreement with the State of Oregon, Oregon Parks and Recreation Department. It was noted that there was widespread support for Tigard to receive this money with acknowledgement of the need coming from Representative Max Williams, Washington County Chairperson Tom Brian, and citizens in the community such as Phil Pasteris, Dave Nicoli, School Superintendent Steve Lauder, Bev Froude and John Anderson. City Manager Bill Monahan noted he was pleased with the City of Tigard being awarded this

grant. He noted the efforts of Mr. John Anderson and City Associate Planner Duane Roberts. There was discussion on the timing of the four phases of Cook Park. It is anticipated that all four phases could be completed within four years; however, this will depend upon funding.

Motion by Councilor Moore, seconded by Councilor Dirksen, to authorize the Mayor to sign the intergovernmental agreement with the State of Oregon, Oregon Parks and Recreation Department. The motion was approved by unanimous vote:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

2. RECOGNIZE MR. BRUCE ELLIS, FOUNDER OF THE TIGARD FESTIVAL OF BALLOONS

Mayor Griffith presented a resolution to Mr. Bruce Ellis expressing appreciation for his service and work done to produce the Tigard Festival of Balloons.

Motion by Councilor Moore, seconded by Councilor Patton, to adopt Resolution No. 01-40

RESOLUTION NO. 01-40 – A RESOLUTION BY THE TIGARD CITY COUNCIL EXPRESSING APPRECIATION TO BRUCE ELLIS FOR THE SPLENDID QUALITY OF PUBLIC SERVICE THAT HE HAS PROVIDED TO THE COMMUNITY THROUGH HIS FOUNDING AND PRESERVATION OF THE TIGARD FESTIVAL OF BALLOONS.

The motion was approved by a unanimous vote:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

Mr. Ellis addressed the Council noting that 100,000 people were estimated to have attended this year's event. He noted that this year they were able to raise \$8,000 for a high school student who was injured and became paralyzed in a snow boarding accident. He noted this year they were also able to provide a balloon for disabled children to have tethered balloon rides. He appreciated the City's assistance for this event.

Councilor Moore acknowledged Mr. Ellis's efforts and he said that he would like to see this event continue.

3. VISITOR'S AGENDA – None.

4. CONSENT AGENDA:

Councilor Scheckla requested item 4.6 be discussed. This agenda item dealt with a personal services contract for Building Division inspection and plan review contract. Councilor Scheckla asked what would happen with this contract if there was a downturn in building activity. Building Inspector Gary Lampella advised that the contract is only used on an as-needed basis. He explained that of his five inspectors, three were on leave for varying reasons for extended periods. He noted that he was relying on contractual expertise and then would reduce this reliance once the inspectors were able to return to work.

Motion by Councilor Scheckla, seconded by Councilor Patton, to approve the Consent Agenda as follows:

- 4.1 Approve Council Minutes: May 8 and 15, 2001.
- 4.2 Receive & File:
 - a. Council Calendar
 - b. Tentative Agenda
- 4.3 Authorize the City Manager to Submit an Application for a Land and Water Conservation Fund Grant for Improvements to Woodard Park – Resolution No. 01-41
- 4.4 Initiate Vacation of Public Right of Way Located at SW Beveland Street at SW 72nd Avenue – Resolution No. 01-42
- 4.5 Amend Resolution No. 01-33 to Correct the Statement of Tigard's Permanent Property Tax Rate – Resolution No. 01-43

- 4.6 Waive Purchasing Rules 70.020, Screening and Selection Policy for Personal Services Contracts for the Building Division Inspection and Plan Review Contract with Winstead & Associates and Electrical Inspection Services – Resolution No. 01-44
- 4.7 Local Contract Review Board: Award Personal Computer Contracts to Computer Technology Link, Caliber Computer Corporation, Northwest Computing and Precision Computers
- 4.8 Approve Acquisition of Property Owned by Gerald C. Cach and Nicholas Capistrano for Burnham Street Improvements
- 4.9 Approve Addendum to the City Manager's Employment Agreement

The motion was approved by a unanimous vote:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

5. CONSIDER FEE ADJUSTMENT FOR LIQUOR LICENSE APPLICATION PROCESSING

Chief Ron Goodpaster presented the staff report, which is on file with the City Recorder. The proposed resolution would adjust the fee for liquor license application processing to the maximum allowable under ORS 471.166 without approval from the Oregon Liquor Control Commission. The maximum allowable is \$25. Mr. Goodpaster recommended the City stay with the maximum allowable because the City of Tigard is not in a position to justify a higher fee.

Motion by Councilor Patton, seconded by Councilor Dirksen, to adopt Resolution No. 01-45

RESOLUTION NO. 01-45 – A RESOLUTION OF THE TIGARD CITY COUNCIL ADJUSTING FEES FOR LIQUOR LICENSE APPLICATION PROCESSING AND SUPERSEDING THOSE FEES ESTABLISHED IN RESOLUTION NO. 90-25.

The motion was approved by a unanimous vote:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

6. CONSIDER THE ESTABLISHMENT OF A REVISED AND ENHANCED SEWER REIMBURSEMENT DISTRICT INCENTIVE PROGRAM

City Engineer Gus Duenas presented the staff report, which is on file with the City Recorder.

Mr. Duenas reviewed the proposed revisions to the Neighborhood Sewer Reimbursement District Incentive Program. There was brief Council discussion on the proposed changes.

Motion by Councilor Patton, seconded by Councilor Scheckla, to adopt Resolution No. 01-46

RESOLUTION NO. 01-46 – A RESOLUTION REPEALING RESOLUTION NO. 98-51 AND ESTABLISHING A REVISED AND ENHANCED NEIGHBORHOOD SEWER REIMBURSEMENT DISTRICT INCENTIVE PROGRAM.

The motion was approved by a unanimous vote:

Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	Yes

7. HEAR AN UPDATE ON THE BULL MOUNTAIN ANNEXATION WORK PLAN AND STUDY

Community Development Director Jim Hendryx reviewed the staff report, which is on file with the City Recorder.

His update included the annexation work plan and study. He reviewed the timeline of the work plan for looking at the issues involved in annexing the unincorporated Bull Mountain area.

8. OREGON DEPARTMENT OF TRANSPORTATION – REVIEW SIGNAL LOOP REPLACEMENT PROJECT

Steve Harry and Larry Krettler of the Oregon Department of Transportation reviewed this agenda item with the Council. This signal loop replacement project will require a variance to the City's noise ordinance since this work will be done at night. The construction will occur at signals at three Tigard locations: SW 72nd at Hunziker Road, Highway 99 at Durham Road, and Highway 99 at McDonald/Gaarde.

Mr. Krettler noted that the loops are old and are not functioning properly and the purpose will be to better synchronize lights in the City. There was discussion regarding the traffic problems that occur when the signal loops are not working properly.

There was discussion on the public notice that will occur when the work will be performed. City Manager Bill Monahan noted that night construction was used for the grinding and paving of Highway 99 about a year ago. He noted that this project went well with no complaints from citizens.

9. CONTINUATION (FROM THE JUNE 12, 2001, CITY COUNCIL MEETING) OF PUBLIC HEARING – CONSIDERATION OF THE FORMATION OF AN ECONOMIC IMPROVEMENT DISTRICT (EID) TO ESTABLISH A FRAMEWORK FOR THE TIGARD CENTRAL BUSINESS DISTRICT (TCBDA) TO CONTINUE TO PROMOTE AND REVITALIZE DOWNTOWN

a. Public Hearing Continued

Mayor Griffith continued the public hearing from the June 12, 2001 Council meeting

b. Review of Proceedings by Staff: Community Development Department

Community Development Director Jim Hendryx reviewed the staff report, which is on file with the City Recorder.

The staff report contains a history of the process followed to date. Mr. Hendryx reviewed the proposal before the Council which is that the Council adopt an ordinance creating a downtown economic improvement district, adopting an economic improvement plan for the downtown improvement district, and calling for a public hearing on proposed assessments and surcharges. Mr. Hendryx reviewed the information on assessments.

There was discussion on the past and the purpose for considering the economic improvement district at this time. Councilor Patton noted that the City had wanted participation from the Central Business District Association in determining their future. She noted the use of City resources but the need for buy-in from the downtown before this could proceed. The partnership would be split three ways financially with the total of \$80,000 per year split among the City, business owners, and property owners. Mr. Hendryx noted that notice would be sent out to business and property owners so that they would know what their assessments would be. City Attorney Ramis clarified that a future hearing two assessment decisions will be considered by Council: whether to assess property owners, and whether to assess business owners. If property owners or business owners remonstrate in the amount of 33 percent of the total against the formation of the district, then the Council cannot consider formation.

c. Public Testimony

- Forrest Johnson, 8965 SW Burnham, Tigard, Oregon, read a letter from Carl H. Johnson of 8965 SW Burnham Street, Tigard, Oregon, 97223. Mr. Johnson's letter noted that the proposed Economic Improvement District/Business Improvement District (EID/BID) offered nothing that wasn't currently available from existing resources. Mr. Johnson's letter also referred to the preference of approving something such as a local improvement district (LID) which buys something substantial and long-lasting.
- Richard Miller, 8970 SW Burnham, Tigard, Oregon, 97223, noted that he was a business and property owner on Burnham Street since 1974. He

said that he was in favor of "something happening." He referenced something such as a "Main Street plan." However, he questioned the fact that the proposal before the Council would raise taxes for business owners by 70 percent. He also was concerned that the Downtown Association may not share the same economic goals as many of the business and property owners.

Councilor Moore clarified in response to a comment from Mr. Miller that this is not a "tax," but rather a way to raise to finance programs. Councilor Moore advised that this is an assessment by the downtown, for the downtown.

- Mike Stevenson, 9040 SW Burnham, Tigard, Oregon, 97223, noted that he has been on the Burnham property for six months, but has owned a business in Tigard for 15 years. He advised that initially he was against the proposal, but noted that Mr. Ellenson of the Tigard Central Business District Association has addressed most of his concerns. He noted that this effort could be a way to address some of the downtown area's needs. He said that there was a need for increased access to the downtown. He advised there is a need to keep business people informed.

He referred to the possibility of light rail in the downtown area and wondered where the City would expect to expand its services. He said that he would like to see more vision for the downtown Tigard area. He said that he agrees that a vision is needed for the downtown area and suggested that the City was "too hands off." Councilor Moore said that if there were some kind of advancements made in the downtown area, that there could possibly be more community support. There was further discussion on the light rail and the need for access, along with the lack of parking in the area. Mayor Griffith noted that last week funding had been verified for commuter rail. He said that there will be concerns about where the parking will be located for the light rail terminal. Mayor Griffith also mentioned the New Library Construction Committee has identified one possible site in the downtown area for a future library.

- Jan Richardson, 12345 SW Main Street, Tigard, Oregon, noted that she owned a small business in the downtown area and that she viewed the process before the Council tonight as a "positive thing." She agreed that vision is needed for the downtown area and referred to areas in Lake

Oswego and also NW 23rd Street in Portland, Oregon, and she would like to see the same thing happening in Tigard.

In response to a question from a person in the audience, Mr. Hendryx responded that both groups, the property and business owners, will be voting on whether to form an EID or a BID. If an individual is both a property owner and a business owner, then they would receive two letters and would need to send the City a remonstrance (letter noting they did not want to form). The individual would need to respond to both letters if they received two.

d. Recommendation by Community Development Director

Mr. Hendryx noted that the staff recommends that the Council adopt an ordinance creating a downtown economic improvement district, adopting an economic improvement plan for the Downtown Economic Improvement District and calling for a public hearing on proposed assessments and surcharges.

If the Council adopts the proposed ordinance then a hearing would be scheduled for August 14 on the assessments.

e. Mayor Griffith closed the public hearing

Councilor Moore clarified that if the Council approves the ordinance at this meeting, the City would start assessing business and property owners. Business and property owners would be given the opportunity to say that they did not agree with the assessment.

Motion by Councilor Moore, seconded by Councilor Patton, to adopt Ordinance No. 01-10

The City Recorder read the following:

ORDINANCE NO. 01-10 – AN ORDINANCE CREATING A DOWNTOWN ECONOMIC IMPROVEMENT DISTRICT, ADOPTING AN ECONOMIC IMPROVEMENT PLAN FOR THE DOWNTOWN ECONOMIC IMPROVEMENT DISTRICT AND CALLING FOR A PUBLIC HEARING ON PROPOSED ASSESSMENTS AND SURCHARGES.

The motion was approved by a majority vote:

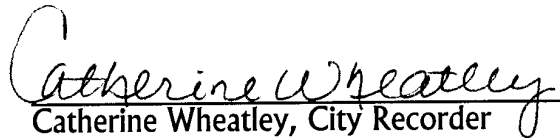
Mayor Griffith	-	Yes
Councilor Dirksen	-	Yes
Councilor Moore	-	Yes
Councilor Patton	-	Yes
Councilor Scheckla	-	No

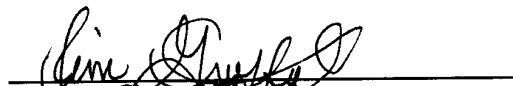
It was clarified that if no letter is received from the business or property owner, then there would be no remonstrance. Mr. Ramis reiterated that it was automatic that if 33 percent remonstrated against the formation of the district then the Council could not approve the formation of the district.

10. EXECUTIVE SESSION - No Executive Session was held.

Meeting adjourned at 9:45 p.m.

Attest:


Catherine Wheatley, City Recorder



Mayor, City of Tigard
Date: September 25, 2001

I:\ADM\GREER\CITY COUNCIL\BUSINESS MTG TEMPLATE.DOC